

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

D.W. HUNTER, an individual, LARNELL )  
EVANS, JR., an individual for the Estate of )  
Anna Short Harrington, an individual )  
("Aunt Jemima"), ) Case No. 14 CV 6011  
  )  
  )  
Plaintiffs, ) Judge Edmond E. Chang  
  )  
v. ) Magistrate Judge Valdez  
  )  
PEPSICO, Inc., a corporation, THE )  
QUAKER OATS COMPANY, a )  
corporation, PINNACLE FOODS GROUP, )  
LLC, a corporation, THE HILLSHIRE )  
BRANDS COMPANY, a corporation, and )  
JOHN DOES 1 through 25, inclusive, )  
  )  
  )  
Defendants. )

**DEFENDANT THE HILLSHIRE BRANDS COMPANY'S MOTION TO DISMISS**

Defendant The Hillshire Brands Company ("Hillshire") hereby moves this Court to dismiss plaintiffs' Amended Complaint (Doc. No. 15) in its entirety. In support thereof, Hillshire submits the accompanying Memorandum and states that for the reasons more fully set forth there, the Amended Complaint should be fully dismissed with prejudice.

Dated: October 27, 2014

Respectfully submitted,

By: /s/ John Grossbart  
*One of the attorneys for defendant  
Hillshire Brands Company*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2014, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record. The aforesaid was also served by United States First Class Mail and facsimile to:

Dannez W. Hunter  
1275 Lincoln Avenue  
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St. Paul, MN 55105  
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/s/ John Grossbart \_\_\_\_\_